

# Flexible Work Options Pilot Program

**Supervisor Training** 

February 2003

# **Agenda**



#### Overview of Materials

- Communications Timeline (orange)
- FWO At a Glance (white/color)
- Work Unit Plan Guidance and Template (goldenrod)
- Policies (green)
- Employee Considerations and Participation Form (canary)
- Tracking At a Glance (white/color)
- Fact Sheet for Managers and Supervisors Represented Employees (blue)
- Objectives of Flexible Work Options
- Overview of Flexible Work Options
- Management Considerations
- Employee Eligibility
- Implementation Considerations
- At the work group level ....
- Practical Steps for Implementation and Timeline
- Reporting Time in LETS

# **Objectives of Flexible Work Options**



- To support LBNL as the best place to do science and as a great place to work
- To help employees balance their work, family and personal obligations
- To increase employee productivity and satisfaction
- To assist in recruiting and retention
- To be responsive to employee requests

# **Overview of Flexible Work Options Offered**



## **Existing**

Standard Work Week

5 days, 8 hours per day (M-F), 40 hours per week (with or without flex time)

Temporary Schedule Changes

Temporary schedule changes to accommodate unusual needs

Telecommuting

Intermittent or regular

# **Overview of Flexible Work Options Offered**



# **Pilot Program**

Variable 5/40 Work Week

5 days, more or less than 8 hours per day (M-F), 40 hours per week

4/10 Work Schedule

4 days, 10 hours per day, 40 hrs per week

9/80 Work Schedule

80 hours over 2 weeks: 9 hours per day for four days out of every week, 8 hours on the fifth day of the first week, off the fifth day of the second week (exempt employees can choose their day off; nonexempt nonrepresented employees may only take Friday off).

## **Management Considerations**



- Management chooses
  - whether to participate
  - which options will be offered
  - which work groups may participate
- Both work unit and employee must demonstrate that operational needs will be met
- Management may <u>change an individual or group's</u> work schedule to meet operational needs
- Management may make <u>temporary schedule changes</u> to meet operational needs or to schedule around a holiday or shutdown
- Management may choose to <u>cancel participation in</u> the <u>pilot</u> if operational needs are not being met

## **Management Considerations**



- To maintain <u>fairness</u>, management must define a process for decisions before discussing individual preferences
- The selection/nonselection process must be fair, consistent, and defensible
- <u>Decisions</u> by management <u>to deny or revoke</u> an employee's request for flexible work options are <u>not</u> <u>subject to RPM complaint resolution policy</u>

# **Employee Eligibility**



- Eligibility limited to <u>non-represented</u> exempt and nonexempt employees. Refer represented employees with questions to Leslie Cobb (x5032)
- Participation is <u>not mandatory</u>, nor an entitlement
- Employees <u>cannot file a complaint</u> if denied participation or if participation is revoked
- If matrixed, <u>approval of both home and matrixed</u> <u>division or department is required</u>
- Nonexempt employees on a <u>9/80 schedule</u> must agree to a work week from midday Friday to midday Friday
- A <u>six-month commitment</u> by the employee is required; the only change allowed is back to the standard work week

## **Implementation Considerations**



#### **Work Unit Considerations**

- Business Advantages
- Customer Service
- Schedule Considerations
- Employee Participation
- Coverage Requirements
- Training Requirements

# **Employee Considerations**

- Business Considerations
- Customer Considerations
- Schedule Considerations
- Training Requirements
- Personal Considerations

#### **Possible Risks**

- Work coverage
- Accessibility to customers
- Scheduling meetings
- Inconsistent treatment of matrixed staff
- Not everyone will be able to participate
- Loss of productivity
- Low morale if program suspended
- Supervisor ability to manage risks

# At the work group level ...



- Review the pilot materials distributed
- Know which option(s) your Division has chosen to offer and understand the underlying policies
- Identify possible benefits of work schedule changes (to the Laboratory, its clients and employees)
- Identify relevant job requirements
- Determine which combination of options offered by your Division maximizes the operational needs, benefits, job requirements, and schedule preferences; be able to explain your decision to the work group
- Using the Work Unit Implementation Plan Guidance, plan the implementation

#### **Practical Steps for Implementation and Timeline**



- Schedule to meet with your employees to communicate the program
- Refer them to participation materials on the Web at http://www.lbl.gov/Workplace/HumanResources
- Solicit interest (employees fill out forms) and give a deadline for returning forms to you
- Validate that employee options and schedules will meet operational and employee needs
- Complete work unit Schedule Tracking at a Glance
- Seek assistance from your HR Center
  - To schedule employee information sessions, if desired
  - To answer any questions you may have

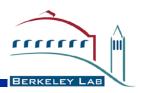
#### **Practical Steps for Implementation and Timeline**



#### **Critical Deadlines-**

- 3/7 Work unit schedule and employee requests due to division management for approval
- 3/10 Division Director reviews and obtains HR Center approval
- 3/14 HR Center Manager reviews division plans with HR Head
- 3/14 HR Center notifies division of plan approval
- 3/17 Supervisor communicates decision to employees for a start date of 3/31/03
- 3/24 HR trains participating employees on LETS
- 3/31 Pilot Program begins

# Fair Labor Standards Act (FLSA) Exempt Status



- "Exempt" employees are exempt from the overtime provisions of the Fair Labor Standards Act; they are paid by the job, not by the number of hours worked
- Exempt employees work a full schedule each week based upon the % time of their appointment. Hours worked in excess of the full schedule are not paid, and hours worked less than the full schedule are not deducted from monthly pay.
- Alternative work schedules should not be confused with comp (compensatory) time. Further, comp time is is not allowed at LBNL.

## **FLSA Exempt Status (continued)**



- Counting hours threatens exempt status and can result in a status change to nonexempt
- If exempt employees are treated as nonexempt, the employer risks being required to pay overtime for hours worked over 40 in a week (including possible back pay and penalties)
- Extraordinary efforts (e.g., working through a weekend) can be acknowledged by a shorter work week at a later point (generally during the same pay period), but <u>not</u> on an hour-for-hour basis

## **Reporting Time in LETS**



#### Overtime and Use of Leave

- Nonexempt employees Paid in hours & report in hours
  - Overtime -- Paid <u>after 40 hours in a week</u>, not after 8 hours in a day
  - Vacation and Sick Leave -- Report actual number of hours taken
- Exempt employees Paid in days & report in days
  - Vacation and Sick Leave In general, report time in half-day increments regardless of the number of hours scheduled
  - For an occasional sick or vacation day on a work day of any length, report one-half or one full day as appropriate
  - For a full calendar week of leave (vacation, sick leave, or combination):
    - 4/10 schedule reports 5 vacation and/or sick days
    - o 9/80 schedule reports 5.5 vacation and/or sick days for a work week with 5 work days
    - o 9/80 schedule reports 4.5 vacation and/or sick days for a work week with 4 work days
    - Variable 5/40 schedule reports 5 vacation and/or sick days

#### **Questions and Answers**

